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Dkt. 51917/JPW/JML/SKS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David J. Pinsky et al.
Serial No. : 08/721,447
Filed : September 27, 1996
For : METHODS FOR TREATING AN ISCHEMIC DISORDER
AND IMPROVING STROKE OUTCOME

1185 Avenue of the Americas
New York, New York 10036
February 25, 1997

Assistant Commissioner for Patents
Washington, D.C. 20231

Attn: Box Missing Parts

Sir:

**COMMUNICATION IN RESPONSE TO DECEMBER 9, 1996
NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37
C.F.R. § 1.53(d) AND PETITION FOR ONE MONTH EXTENSION OF TIME**

This Communication is submitted in response to the December 9, 1996 Notice To File Missing Parts Of Application under 37 C.F.R. § 1.53(d) issued by the U.S. Patent and Trademark Office in connection with the above-identified application. A copy of the December 9, 1996 Notice is attached hereto as Exhibit A. Applicants hereby submit their executed Declaration and Power of Attorney pursuant to 37 C.F.R. § 1.53(d) and in compliance with 37 C.F.R. § 1.63 as Exhibit B. The Declaration refers to the application's above-identified serial number and filing date.

A response to the December 9, 1996 Notice was originally due February 9, 1997. Applicants hereby request a one month extension of time. Applicants note that, contrary to the December 9, 1996 Notice, small entity status has been established and such status is still applicable. Applicants attach hereto a courtesy copy of the September 27, 1996 Verified Statement (Declaration) Claiming Small Entity Status Under 37 C.F.R. § 1.9(f) And § 1.27(d) - Nonprofit Organization as Exhibit C. The required fee for a one month extension of time for a small entity is FIFTY FIVE DOLLARS (\$55.00). The surcharge for submitting the

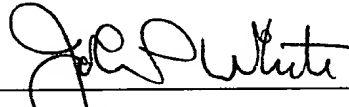
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Declaration and paying any fees under 37 C.F.R. § 1.16(e) is SIXTY FIVE DOLLARS (\$65.00) for a small entity. The additional claim fee as required by the December 9, 1996 Notice is ELEVEN DOLLARS (\$11.00). A check in the amount of \$131.00 is enclosed. Therefore, a response to the December 9, 1996 Notice is now due March 9, 1997. Since March 9, 1997 is a Sunday, under 37 C.F.R. § 1.7 a response to the December 9, 1996 Notice is due the next business day, i.e., March 10, 1997. Accordingly, this Communication is being timely filed.

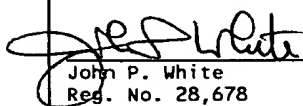
No fee, other than the \$55.00 fee for a one month extension of time, the \$65.00 surcharge fee and the \$11.00 additional claim fee, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this paper is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.


John P. White
Reg. No. 28,678

2/25/97
Date

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